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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. CR10-223-MJP  
10 v. )  
11 DARRIN PATRICK KLAUER, ) SUMMARY REPORT OF U.S.  
12 Defendant. ) MAGISTRATE JUDGE AS TO  
ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An initial hearing on supervised release revocation in this case was scheduled before me  
15 on June 28, 2011. The United States was represented by AUSA Stephen P. Hobbs and the  
16 defendant by Lynn Hartfield. The proceedings were digitally recorded.

17 Defendant had been sentenced in the District of Utah on or about January 6, 2006 by the  
18 Honorable Dale A. Kimball on a charge of Credit Union Robbery, and sentenced to 46 months  
19 custody, thirty six months supervised release.

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant submit to drug testing, participate in drug treatment, not possess or  
22 consume alcohol or frequent places where alcohol is the chief item of order, and submit to DNA

01 sampling. (Dkt. 3 at 6.)

02 Jurisdiction of the defendant was transferred to this Court on July 20, 2010. On  
03 October 22, 2010, the conditions of supervised release were modified to require defendant to  
04 participate in a home confinement program with electronic monitoring for 90 days. (Dkt. 4.) On  
05 December 8, 2010, defendant admitted violating the conditions of supervised release by using  
06 cocaine, failing to appear for drug testing, and failing to participate in a drug abuse program.  
07 (Dkt. 10.) The disposition hearing was rescheduled to allow defendant to make progress in drug  
08 treatment, and no further sanction was imposed at the time. (Dkt. 18.)

09 In an application dated (Dkt. 19, 20), U.S. Probation Officer Brian K. Facklam alleged  
10 the following violations of the conditions of supervised release:

11 1. Failing to notify the probation officer ten days prior to any change in residence  
12 in violation of standard condition 6.

13 2. Failing to submit a truthful written report within the first five days of each month  
14 in violation of standard condition 2.

15 3. Failing to permit a probation officer to visit him at any time at home, in violation  
16 of standard condition 10.

17 Defendant was advised in full as to those charges and as to his constitutional rights.

18 Defendant admitted the violations and waived any evidentiary hearing as to whether  
19 they occurred.

20 I therefore recommend the Court find defendant violated his supervised release as  
21 alleged in violations 1-3, and that the Court conduct a hearing limited to the issue of  
22 disposition. The next hearing will be set before Judge Pechman.

01 Pending a final determination by the Court, defendant has been released on supervision.

02 DATED this 28th day of June, 2011.

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05 Mary Alice Theiler  
06 United States Magistrate Judge  
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08 cc: District Judge: Honorable Marsha J. Pechman  
09 AUSA: Stephen P. Hobbs  
10 Defendant's attorney: Lynn Hartfield  
11 Probation officer: Brian K. Facklam  
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